

REMARKS

Favorable reconsideration and allowance of the subject application are respectfully requested. Claims 1-15, 17, and 20-25 are pending in the present application, with claims 1, 6, 7, 8, 13, 14, 15, 20, 21, 22, 23, and 25 being independent.

Allowable Subject Matter

Applicant notes with appreciation the Examiner's indication on page 5 of the Office Action that claims 1-15, 17, 20, and 25 are allowed. For at least the reasons detailed below, all pending claims should be considered allowable.

Claim Objections

The Examiner objected to claims 21 and 23 stating that the features of "wherein an electronic mail" and "wherein contents of an event of an event" do not have any antecedent basis.

Regarding claim 21, the Examiner alleges that the feature "wherein an electronic mail" does not have any antecedent basis. Applicant notes that this phrase does not need antecedent basis because Applicant recites "an" electronic mail and not "the" electronic mail. Thus, this objection is improper.

Regarding claim 23, the Examiner states that the feature of "wherein contents of an event of an event" does not have antecedent basis. Applicant, however, is unable to determine where this

feature is recited in claim 23. Claim 23 does recite that "wherein contents of an event are informed..." but does not recite "contents of an even of an event." Thus, it also appears that this objection is improper.

Applicant, however, has amended claims 21-23 in an effort to clarify the claims and in an effort to place the claims into better form for U.S. practice. Thus, these amendments do not narrow the scope of the claims.

Accordingly, withdrawal of the objection is respectfully requested.

Claim Rejections Under 35 U.S.C. §103

The Examiner rejected claims 21-23 under 35 U.S.C. §103(a) as being unpatentable over *Chern* et al. (US 6,456,854 - hereinafter *Chern I*) in view of *Chern* (US 6,609,005 - hereinafter *Chern II*). This rejection is respectfully traversed insofar as it pertains to the presently pending claims.

Independent claim 21

Independent claim 21 is directed to a communication system that includes a terminal and a cellular phone, which generates an electronic mail. In addition, the cellular phone is incorporated into or connected to a device that uses the cellular phone as a mechanism for communicating between the device and the terminal,

which manages the device. Furthermore, the cellular phone generates and transmits the electronic mail to contain a description of a predetermined event to the terminal when the predetermined event occurs in the device.

Applicant respectfully submits that neither *Chern I* or *Chern II* teach or suggest the features of: (1) a terminal that manages a device; or (2) a cellular phone that generates and transmits an electronic mail containing a description of a predetermined event to a terminal when the predetermined event occurs in the device.

Referring to, for example, *Chern I*, it is merely taught that a server 136 is connected to a wireless handset 130 via a wireless network 140, and that the handset 130 is connected to a position determination system 134 that provides the handset 130 with GPS information. This GPS information is then provided to the server 136.

Chern et al., however, does not contain any teaching that the position determination system 134 is controlled by the handset 130, much less by the server 136. Thus, the server 136 does not manage the position determination system 134.

Moreover, the wireless handset 130 of, for example *Chern I*, does not generate and transmit an electronic mail that contains a description of a predetermined event, when the predetermined event occurs in the position determination device 134. *Chern I*, as noted above, merely provides GPS information from the position

determining device 134 to the wireless handset 130 and then to the server 136.

GPS information, however, is not a predetermined event. Referring to page 27 of the present application, it is taught that data, which is provided to the terminal, can be data such as a lack of merchandise, a shortage of change, etc. Thus, one skilled in the art could readily appreciate that GPS information is not a predetermined event, but a current event, which cannot be predetermined.

Accordingly, in view of the above-discussion, withdrawal of the rejection is respectfully requested.

Independent claims 22 and 23

Independent claim 22 is directed to a communication system that includes a terminal and a cellular phone that is incorporated into or connected to a device for using the cellular phone as a mechanism for communicating bi-directionally between the device and the terminal, which manages and operates the device. In addition, the terminal acquires a location of the device by obtaining location data from the cellular phone.

Applicant respectfully submits that the cited art, either alone or in combination fails to teach or suggest at least that: (1) a cellular phone is used as a mechanism for communicating bi-directionally between a device and a terminal; or (2) that a

terminal manages and operates a device.

Referring again to, for example, *Chern I*, there is absolutely no teaching that the server 136 manages or operates the position determining device 134. Furthermore, there is absolutely no teaching that the wireless handset 130 is used for communicating bi-directionally between the positioning determining device 134 and the wireless handset 130. In other words, the server 136 does not communicate with the position determining device 134, and therefore there cannot be bi-directional communication.

Similar arguments also apply to claim 23.

Accordingly, withdrawal of the rejections is respectfully requested.

Conclusion

In view of the above amendments and remarks, this application appears to be in condition for allowance and the Examiner is, therefore, requested to reexamine the application and pass the claims to issue.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Martin R. Geissler (Reg. No. 51,011) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

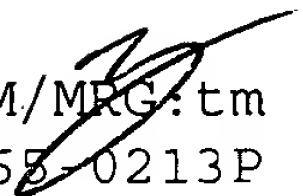
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By 

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